

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|-----------------------------------|---|------------------------------|
| SPIRE STL PIPELINE LLC, |) | |
| |) | Cons. Case No: 4:18-CV-01327 |
| Plaintiff, |) | |
| |) | THIS DOCUMENT APPLIES |
| v. |) | TO CASES: |
| |) | 4:18-CV-01343-SRC-DDN and |
| |) | 4:18-CV-01371-SRC-DDN. |
| |) | |
| 3.31 ACRES OF LAND, MORE OR LESS, |) | Tract No. MO-SC-307.000 and |
| SITUATED IN ST. CHARLES COUNTY, |) | Tract No. MO-SC-330.000 |
| STATE OF MISSOURI et al; |) | |
| |) | |
| Defendants. |) | |

REQUEST TO SCHEDULE COMMISSIONERS' HEARING
FOR POGGEMOELLER AND MACHENS TRACTS

Plaintiff Spire STL Pipeline LLC ("Spire"), and with Defendants Poggemoeller and Machens' consent, respectfully requests the Court schedule the next Commissioners' Hearing for the week of July 26, 2021, or a date in August pending the Court, Commissioners', and parties' availability. In support of its request, Spire states:

1. The next two cases in line for trial involve the following Defendants:
 - a. Alan and Sharon Poggemoeller, Case No. 4:18-CV-01343-SRC-DDN (Tract No. MO-SC-307.000); and
 - b. Kevin and Shelley Machens, Case No. 4:18-CV-01371-SRC-DDN (Tract No. Tract No. MO-SC-330.000).
2. Defendants Poggemoeller and Machens are both represented by Mr. Walker.
3. The Parties have conferred and agree that the Poggemoeller and Machens matters may be tried together in light of the overlap of witnesses and experts likely to be called at trial.

4. The Parties have also conferred regarding availability of their respective witnesses and scheduling, and agree the cases can be set for trial the week of July 26, 2021, pending the Court and the Commissioners' availability.

5. If the Commissioners are not available that week, then the Parties respectfully request available dates in August, and the parties will then need to confer with their clients and witnesses about their availability.

6. Assuming the trial can be scheduled the week of July 26, 2021, the Parties propose that the deadline to file witness lists, exhibits lists, deposition designations, and any additional motions(s) in limine be set for Friday, July 16, 2021.

7. The Parties also propose that any objections to exhibits or deposition designations, counter-designations, and responses to motion(s) in limine be filed by Friday, July 23, 2021.

WHEREFORE, Plaintiff Spire, and with Defendants' consent, respectfully requests the Commissioners' Hearing for the Poggemoeller and Machens matters be scheduled for the week of July 26, 2021, and for such other and further relief as the Court shall deem just and proper.

Respectfully submitted,

HAMILTON WEBER LLC

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ATTORNEYS FOR PLAINTIFF

Spire STL Pipeline

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was served this 7th day of July, 2021, by:

_____ Hand delivery
_____ United States mail, postage prepaid
_____ Electronic transmission (E-mail);
 X Notice of Electronic Filing pursuant to Fed.R.Civ.P. 5(b)(2)(E), to:

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Alan and Sharon Poggemoeller and
Kevin and Shelley Machens

/s/ David T. Hamilton